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Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Environment and Conservation
Division:	Remediation
Contact Person:	Tim Stewart
Address:	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 14th Floor Nashville, Tennessee 37243
Phone:	(615) 741-4998
Email:	Division.remediation@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator
Address:	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 22nd Floor Nashville, Tennessee 37243
Phone:	1-866-253-5827 (toll free) or 615-532-0200 Hearing impaired callers may use the TN Relay Service 1-800-848-0298
Email:	Beverly.Evans@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Knoxville Environmental Field Office		
Address 2:	3711 Middlebrook Pike		
City:	Knoxville, Tennessee		
Zip:	37921		
Hearing Date :	07/07/16		
Hearing Time:	6:00 p.m.	<input type="checkbox"/> CST/CDT	<input checked="" type="checkbox"/> EST/EDT

Additional Hearing Information:

The Division of Remediation believes it is necessary to add the Knoxville College Science Building site, located at 901 Knoxville College Drive in Knoxville, Knox County, Tennessee. The 43.1 acre property consists of 24 primary buildings including dormitories, administrative offices, classrooms, and the A.K. Stewart Science Building. The buildings are relatively unsecured with ample evidence of human activity, including a fire in one of the abandoned residence halls.

In 2014, the Tennessee Division of Remediation determined that the A.K. Stewart Science Building represented a significant threat and imminent and substantial danger to the surrounding community. Access to the building was completely uncontrolled and evidence of vandals was present, and there were literally thousands of bottles and other containers with dangerous and unknown laboratory chemicals in both liquid and solid form, many damaged or in poor condition. In some cases, incompatible chemicals were stored next to each other, and/ or in contact with water resulting from a ruptured pipe and leaking roof. At the time of the inspection, the bottom floor contained approximately two inches of standing water.

The Tennessee Division of Remediation contacted the US EPA Emergency Response and Removal Branch, who determined that an Interim Removal Action (IRA) was warranted. In addition to the known and obvious issues inside the science building, EPA discovered the presence of mercury vapors. The interim remedial action was completed on June, 2014 and included the removal of 26,240 lbs. of hazardous waste and 10 lbs. of radioactive waste.

In October of 2014, the Division entered the A.K. Stewart building, post removal, to collect wipe samples for mercury. Even though EPA had discovered the presence of mercury vapor during their removal action, they were unable to identify the source of the contamination. The Division has not identified a discreet source of mercury inside the building, but believes that it is more wide spread throughout the building. Mercury was detected above screening level of $1.57 \mu\text{g}/100 \text{ cm}^3$ in 12 samples with a high of $310 \mu\text{g}/100 \text{ cm}^3$.

Since the facility that generated the release is no longer active, mercury is present on the site and poses or may reasonably pose a threat to health and the environment, the Division of Remediation proposes to amend Rule 0400-15-01-.13 List of Inactive Hazardous Substance Sites by adding the Knoxville College Science Building site to its list of sites.

Oral or written comments are invited at the hearing. In addition, written comments may be submitted to Tim Stewart at the Division of Remediation, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 14th Floor, Nashville, Tennessee 37243, prior to or following the public hearing. However, the Division must receive comments in its Central Office by 4:30 p.m. (CST), July 21, 2016, in order to assure consideration.

Copies of draft amendment are available for review in the Public Access Area of the:

Knoxville Environmental Field Office
3711 Middlebrook Pike
Knoxville, TN 37921
(865) 594-6035

Copies are available for review also at the Division of Remediation:

Division of Remediation
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 14th Floor
Nashville, Tennessee 37243
(615) 532-0900

The "DRAFT" rules may be accessed for review also at the Department's World Wide Web Site located at <http://tn.gov/environment/ppo/#dor>.

Revision Type (check all that apply):

- ☒ Amendment
☐ New
☐ Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0400-15-01	Hazardous Substance Remedial Action
Rule Number	Rule Title
0400-15-01-.13	List of Inactive Hazardous Substance Sites

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Amendment

0400-15-01

Hazardous Substance Remedial Action

Rule 0400-15-01-.13 List of Inactive Hazardous Substance Sites is amended by adding the following site to the list, such addition being made in a manner so that the entire list remains in numerical order.

0400-15-01-.13 List of Inactive Hazardous Substance Sites.

Promulgated List

SITE NUMBER

SITE NAME

KNOX (47)

47-600

Knoxville College Science Building
Knoxville, Tennessee

Authority: T.C.A. §§ 68-212-201 et seq. and 4-5-201 et seq.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: April 28, 2016

Signature: _____

Name of Officer: Robin Heriges

Title of Officer: Deputy Director of the Division of Remediation

Subscribed and sworn to before me on: _____

Notary Public Signature: _____

My commission expires on: _____

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Filed with the Department of State on: _____

Tre Hargett
Secretary of State